

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID COOKE

v.

DITECH FINANCIAL LLC

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CIVIL ACTION

NO. 16-3763

ORDER

AND NOW, this 16th day of September, 2016, this matter having been referred by the Honorable Gerald J. Pappert for a settlement conference, IT IS HEREBY ORDERED that a settlement conference will be held on **WEDNESDAY, NOVEMBER 9, 2016 at 1:30 P.M.**, before the undersigned in Chambers, Room 3038, 3rd Floor, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.

The following are required to attend the conference in person: (1) the senior attorney in charge of the matter for each of the parties, (2) **the parties themselves**, or if a corporation, an official of the corporation with full settlement authority, (3) representatives with full settlement authority of all insurance carriers or other entities responsible for paying any portion of a settlement. The Court will grant an exception to this requirement **only** upon written request a week prior to the conference (with a copy to all counsel) showing good cause and exceptional circumstances.

Each party is directed to submit to Chambers (via facsimile at 267-299-5061) a **confidential** settlement memorandum of no more than four typed double-spaced pages, setting out the following in order:

1. The names, telephone numbers, facsimile numbers and email addresses of counsel to appear at the conference on behalf of the party;
2. The name of the party or the party's representative, including insurer if applicable (with title or position) to appear at the conference;
3. The status of any pending motions;
4. The status of discovery;
5. A brief statement of the elements and manner of proof of the party's claims and/or defenses;

6. A brief statement of the party's damages and manner of proof of their damages or, as appropriate, its position on damages claimed by any opposing party;
7. The last demand and/or offer: and
8. Any other matters that counsel believe may be relevant to settlement discussions.

Counsel are directed to fax the position paper to Chambers not later than **four** business days prior to the date of the conference. The document is **not** to be shared with opposing counsel nor filed of record. This is for Judge Hey's eyes only. Counsel are encouraged to attach particularly relevant trial exhibits to their submissions. If such exhibits are lengthy, the relevant portions should be delineated. Counsel are also directed to exchange settlement offer and demand prior to the conference.

BY THE COURT:

/s/ELIZABETH T. HEY

ELIZABETH T. HEY
UNITED STATES MAGISTRATE JUDGE